

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Fa-Long LUO § Confirmation No.: 4088
Serial No.: 10/612,202 § Group Art Unit: 2193
Filed: July 1, 2003 § Examiner: David H. Malzahn
For: SYSTEM FOR FREQUENCY-
DOMAIN SCALING FOR
DISCRETE COSINE TRANSFORM §

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

Dear Sir:

On January 16, 2007, the undersigned attorney conducted an interview with Examiner Malzahn to discuss claims 1-17 of the present application which are rejected under 35 USC §101.

As to the computer readable medium claim 10-17, the Examiner took the position that there is no possible amendment to paragraph [23] of the present application that would exclude transmission/communication media from the definition of storage/recordable media which, according to the USPTO, is necessary to support computer readable medium claims. Examiner Malzahn further took the position that, in method claims 1-8, data transforms per se do not provide a practical application and that a practical application is not created by labeling a signal value as a pixel value. The Examiner conceded there is nothing in the current case law or the MPEP to support this position.

The Examiner further took the position that, as to the method claims 1-8, compression of data or filtering of data does constitute a practical application. Therefore, I suggest that if a discrete cosine transform, as disclosed and claimed herein, inherently includes compression and/or filtering of data that would overcome the

rejection, I could then incorporate that limitation into the claims. The Examiner said that he would rule on this question in the future.

Finally, the Examiner further took the position that claim 9, while an apparatus claim is treated as method claim because of the open ended definitions of paragraphs [23], [24] and [26].

Respectfully submitted,



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